

IN THE UNITED STATES DISTRICT COURT FOR
THE MIDDLE DISTRICT OF ALABAMA
NORTHERN DIVISION

RECEIVED

ALFA CORPORATION,)
) 2007 DEC 10 AM 10:11
 Plaintiff,)
)
 v.) CIVIL ACTION NO. 2:06cv962-WKW
)
 ALFA MORTGAGE INC.,)
)
 Defendant.)

ANSWER

See attached letter dated December 6, 2007 for answer to complaint. Alfa Corporation is withdrawing from this case due to the fact that Alfa Mortgage simply could not afford an attorney and was not successful in finding one free of charge.

SCANNED

December 6, 2007

Robert A. Huffaker
Rushton, Stakely, Johnston & Garrett, P.A..
PO Box 270
Montgomery Alabama 36101-0270

Juan C. Basombrio
Dorsey and Whitney, LLP
38 Technology Drive
Irvine, CA 92618

Dear Mrs Huffaker and Mr. Basombrio,

I am sending this letter in regards to Alabama Case # 2:06 CV-962-WKW-WC Alfa Corporation, vs Alfa Mortgage Incorporated asking the court to dismiss this case based on the following:

I Corina Shelton, President of Alfa Mortgage Incorporated have no choice but to withdraw from the lawsuit filed against Alfa Mortgage Incorporated in the state of Alabama simply because I cannot afford to pay for a defense and also because of the difficulty I've had in obtaining counsel in the state of Alabama who does not have a conflict due to the fact they have either at some point or currently worked on cases involving Alfa Corporation.

When I was subpoenaed by Alfa Bank to appear for a deposition in July of 2006 is the first time I had ever spoken to or had any contact with Alfa Corporation. Mr. Basombrio had approached me by the elevators after the deposition ended and asked if I knew why I was brought in. When I let him know that I did not know why I was there, he informed me that Alfa Corporation is trying to keep the Russian company Alfa Bank out of the US and had no idea I existed until I was called in for a hearing but now that he knew I existed that he would be in touch with my attorney etc..

Prior to this, I had purchased a building in Indianapolis and was having remodel work done to expand my business. In August of 2006, I received my first and only letter from Mr. Juan Basombrio stating that my use of the name Alfa Mortgage Inc. infringes upon

the federal and common rights law of Alfa Corp. and that they demand I stop using the name Alfa Mortgage or any other names using Alfa.

From that point forward, I stopped using the name Alfa Mortgage and had not closed any other loans using the name which is why I am in such a terrible financial strain today.

I had put all of my hopes and dreams of expanding my business on hold in hopes that I would overcome and have my case dismissed based on the facts that I started my business in March of 2001 in the state of Indiana where Alfa Corporation has never closed one loan or done any business in and they did not even file for their trademark application until after I had opened Alfa Mortgage Incorporated. Considering the fact that I had never stepped foot in the state of Alabama and had absolutely no contact with the state prior to this lawsuit and also had no idea that Alfa Corporation even existed, there was no solid reason for my case not to be dismissed based on the fact that the state of Alabama has no jurisdiction over me, especially since I did not continue closing loans or using the name in advertisements etc..once the letter was sent to me on the 22nd of August 2006, despite the fact that the letter itself never even indicated that Alfa Corporation does business in Alabama and never mentioned the state of Alabama nowhere in the letter. I am not a lawyer, but I do believe that a person or corporation must have some kind of contact with a state in order for that state to have jurisdiction and that clearly did not happen in this case but my motion to dismiss was still denied.

Because I stopped working and have made no money since this case started, I could not afford to keep my attorneys on the case and I told them that I would have no choice but to move forward and represent myself. They told me that I would have to ask permission from the court to represent the Alfa Mortgage because of it being a corporation, but they never informed me that my request would be denied based on the fact that corporations must be represented by legal council. The court granted their request to withdraw from the case due to the fact that I could not afford to pay them but then denied my request to represent my corporation knowing that I could not afford to hire new legal council. Seems to me we may have a civil rights issue here. I have tried since then to find council that would represent my corporation in this case but have not been able to find anyone willing to take my case without pay and therefore am forced to walk away and let the eggs fall where they may, or should I say in the hands of everyone else.

I am a single mom raising a 10 and 7 year old and all I've ever done is try to make an honest living doing what I loved. When a person starts a business and does a name search with the state they are going to do business in and the state tells them it's available, there was no reason to believe that I did not have a right to that name. Why do people even bother when everything they work for can be taken away from them by some big fish that has all the money in the world to get what they want. I have lost everything I've worked for because of this case. My million dollar office building is in foreclosure and is going up for bank sale on the 13th of December. My credit cards are all past due and in collection and foreclosure has been filed on my residence. This is what putting me and my family through a lawsuit has done to me. Since this whole thing started, I have not been sleeping well, eating well, nor have I been able to focus on doing any work

because my mind and thoughts are consumed with this Alabama lawsuit. In many ways I feel that I've been harassed with this suit and I want nothing more than for this whole thing to go away so that I can somehow move on with my life and start over. I have not originated any loans under the using the name Alfa Mortgage Incorporated since the 22nd of August, 2006 and will discontinue the use of the name in the future but I do however request that if Alfa Corporation wants to have the rights to ever using the name Alfa Mortgage in conjunction with realestate loans and if they want rights to the use of my domain name Alfamtg.com, a monetary settlement should be made prior to Alfa Corporation doing such and also prior to Alfa Corporation or any of it's subsidiaries do any mortgage loan originating in the state of Indiana.



12-6-07

Corina Shelton, President Alfa Mortgage, Inc.

UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF ALABAMA ~~RECEIVED~~
MIDDLE DIVISION

2007 DEC 10 A 10:54

CERTIFICATE OF SERVICE

I, Corina Shelton, do hereby Certify that a true and correct copy of the foregoing has been furnished by U.S. Mail (manner of service, i.e., U.S. Mail, electronic mail, etc.) on this 7 day of December 2007 to:

Robert A. Huffaker, P.O.Box 270 Mentone Alabama 36111
4

Susan C. Basombrio
38 Technology Drive Inc. L.A. 92618

12-7-07
Date

Ch
Signature